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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,310	12/01/2003	Winston Hsiao	386998040US	3075

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PERKINS COIE LLP
PATENT-SEA
P.O. BOX 1247
SEATTLE, WA 98111-1247

EXAMINER

TSO, EDWARD H

ART UNIT	PAPER NUMBER
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2838

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/726,310

Applicant(s)

HSIAO ET AL.

Examiner

Edward H. Tso

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13-19 and 22-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-19 and 22-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-11, 13, 14, 16-19, 22, 23 and 25-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khullar (US 6,748,246) in view of Severt et al. (US 5,511,108).

As to Claim 1, Khullar discloses a testing apparatus, comprising: a testing device for inspecting an object (Figure 3, element 316); an accumulator for supplying power to said testing device (Element 314); a first terminal for providing signals transferring route between said testing device and the object, and also providing a charging route for said accumulator (Not shown, but the positive terminal of battery 314); Khullar does not expressly disclose wherein a switch is used to determine the status of said testing device. Severt discloses using a switch to determine status of said testing device, wherein said status includes testing mode or charging mode (Figure 10, switching "on" turns on the testing mode). It would have been obvious to one having ordinary skill in the art at the time of this invention to combine the teachings of Severt and be capable of turning on the testing device in order to conserve battery life when the device does not need to be active.

As to Claim 2, Khullar discloses further comprising a second terminal (Not shown, but connected to the negative terminal of battery 314).

As to Claim 3, Khullar further discloses wherein said second terminal electrically connects to ground (Negative terminal of the battery, lowest potential of a battery is considered to be ground).

As to Claim 4, Severt further discloses wherein said testing device is a multimeter (Figure 1).

As to Claims 6 and 25, Severt further discloses wherein said testing device is a process calibrator (Figure 1).

As to Claims 7 and 26, Severt further discloses wherein said testing device is a process meter (Figure 1).

As to Claims 8 and 27, Severt further discloses wherein said testing device is a temperature sensor (Figure 1 la).

As to Claims 9 and 28, Severt further discloses wherein said testing device is a gaseous detector (Column 23, lines 61-64).

As to Claims 10 and 29, Severt further discloses wherein said testing device is a fluid sensor (Column 23, lines 61-64).

As to Claims 11 and 30, Severt further discloses wherein said accumulator is selected from the group consisting of lithium battery, hydrogen-nickel battery, and cadmium-nickel battery (Column 6, lines 56-60).

As to Claims 13 and 31, Khullar discloses an electricity meter, comprising: a meter for inspecting electric characteristic of an object (Figure 3, element 316); an

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accumulator for providing power to said meter (Figure 3, element 314); two terminals for providing electric signals transferring route of said meter and charging route of said accumulator (Between element 316 and 314, there needs to be terminals on both the positive and negative ends of the battery). Khullar does not expressly disclose a switch to determine the status of the meter or a display device. Severt discloses using a switch to determine status of said testing device, wherein said status includes testing mode or charging mode (Figure 10, switching "on" turns on the testing mode), and a Display device for displaying the status of the meter (Figure 3, element 58). It would have been obvious to one having ordinary skill in the art at the time of this invention to combine the teachings of Severt and be capable of turning on the testing device in order to conserve battery life when the device does not need to be active, and include a display device so that the user can visually see the tested values.

As to Claim 14, Severt further discloses wherein said meter is a multifunction meter (figure 1).

As to Claim 16, Khullar discloses an apparatus charged via signal terminals, said apparatus comprising: an electronic device (Figure 3, element 316); an accumulator for providing electric power to said electric device (element 314); a terminal providing signals transferring route of said electronic device and a charging route for said accumulator (Connection between 314 and 316). Khullar does not expressly disclose wherein a switch is used to determine the status of said electronic device. Severt discloses using a switch to determine status of said electronic device, wherein said status includes testing mode or charging mode (Figure 10, switching "on" turns on the

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testing mode). It would have been obvious to one having ordinary skill in the art at the time of this invention to combine the teachings of Severt and be capable of turning on the testing device in order to conserve battery life when the device does not need to be active.

As to Claim 17, Severt further discloses wherein said electronic device is a mobile communicating device (figure 20, element 514).

As to Claim 18, Severt further discloses wherein said electronic device a personal digital assistant (Figure 1).

As to Claim 19, Severt further discloses wherein said accumulator is selected from the group consisting of lithium battery, nickel-metal-hydride battery, and nickel-cadmium battery (Column 6, lines 56-60).

Claims 5, 15 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khullar in view of Severt et al. in further view of Struck et al. (US 6,407,539).

As to Claim 5, neither Khullar nor Severt expressly disclose using an oscilloscope to measure. Struck teaches that an oscilloscope can be used to measure a voltage output. It would have been obvious to a person having ordinary skill in the art at the time of this invention to use an oscilloscope as the measuring tool, in order to be capable of seeing the waveform of the voltage being measured.

As to Claims 15 and 24, neither Khullar nor Severt expressly disclose using an oscilloscope to measure. Struck teaches that an oscilloscope can be used to measure a voltage output. It would have been obvious to a person having ordinary skill in the art at

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the time of this invention to use an oscilloscope as the measuring tool, in order to be capable of seeing the waveform of the voltage being measured.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-4, 11, 13, 14, 16, 17, 22, 23 and 30-32 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Applicant's own admitted art to figures 1A and 2A.

Response to Arguments

Applicant's arguments filed 9/6/06 have been fully considered but they are not persuasive. Applicant argues that the reference does not show the terminals being used to provide signal and charge the battery. However the claims only claim in the alternative form that the terminal either provide the signal or charge the battery and not both.

Conclusion

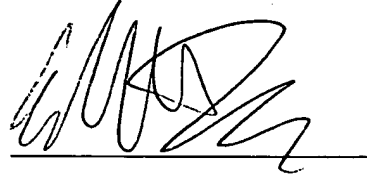
Any inquiry concerning this communication should be directed to the Examiner at the below-listed number on every Tuesday, Thursday and Saturday.

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If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Karl Easthom, can be reached at (571) 272-1989 on Monday-Thursday.

Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist at (571) 272-2800, Monday-Friday, 8:30am to 5:00pm, EST.

By:

A handwritten signature in black ink, appearing to read 'E. H. TSO', written over a horizontal line.

EDWARD H TSO
Primary Examiner
(571) 272-2087